

### SUPPORT FOR THE AMENDMENTS

Claims 1-13 are amended to use wording and structure consistent with U.S. patent law practice.

Support for the amendment to Claim 1 is found on page 5, lines 6-22, in the specification.

No new matter is added to this application by entry of this amendment.

Claims 1-21 are active. Claims 14-21 are Withdrawn.

### REMARKS/ARGUMENTS

The claimed invention is directed to a method for the production of an upgraded coal suitable for use in a metallurgical process. A process which produces coal having suitable quality and plasticity for use in a carbon-composite method for obtaining iron from iron oxide and other metallurgical processes, wherein hydrogenation is not involved and the solvent may be recycled , is sought.

The claimed invention addresses this problem by providing a method for producing upgraded coal according to independent Claim 1 and Claims dependent thereon.

Applicants wish to thank Examiner Zhu for the useful and courteous discussion of this application with Applicants' U.S. representative on June 25, 2008. At that time, Applicants' U.S. representative reviewed and contrasted the description of the cited references to the claimed invention. Particular emphasis was directed to the fact that both Brink and Miller recite the presence of hydrogen pressure during treatment of the coal with solvent. In contrast, the claimed invention does not require hydrogen anywhere in the method. The following reiterates and expands upon the discussion.

Applicants respectfully note that Claim 1 is herein amended to include the description “wherein the organic solvent is not rehydrogenated.” This amendment is supported in Claim 11 and in the discussion in the specification on page 5. Applicants have indicated the need for a method to upgrade coal which does not use expensive hydrogen and indicate the claimed invention addresses this problem, among others.

The rejection of Claims 1, 2 and 10 under 35 U.S.C. 102(b) and Claims 3-7, 9 and 11-13 under 35 U.S.C. 103(a) over Brink et al. (U.S. 4,045,187) is respectfully traversed.

This reference does not disclose or suggest an method for producing upgraded coal wherein the solvent is not rehydrogenated.

Brink describes a process for the manufacture of coke by deoxygenation and removal of water comprising heating the carbonaceous material in intimate contact with a liquid solvent, a hydrogen carrier and hydrogen under pressure. (Claim 11 in pertinent part) Nowhere does this reference disclose or suggest the solvent is not rehydrogenated as in the claimed invention. Applicants respectfully note that the Abstract describes the solvent having hydrogen carrier properties.

Claims 3-7, 9 and 11-13 all depend directly or indirectly from Claim 1 and therefore, based on the above discussion cannot render obvious the claimed invention.

In view of the above, Applicants respectfully submit that the cited reference cannot anticipate or render obvious the claimed invention. Accordingly, withdrawal of the rejection of Claims 1, 2 and 10 under 35 U.S.C. 102(b) and Claims 3-7, 9 and 11-13 under 35 U.S.C. 103(a) over Brink is respectfully requested.

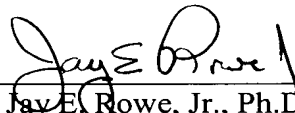
The rejection of Claim 8 under 35 U.S.C. 103(a) over Brink in view of Miller (U.S. 4,617,105) is respectfully traversed. Applicants respectfully note that Claim 8 directly depends from Claim 1.

Miller is cited to show the use of a nitrogen atmosphere in the extraction process. However, Miller describes an improved process for thermal solvent refining or hydroliquification of non-anthracitic coal at elevated temperatures under hydrogen pressure in a hydrogen donor solvent (Abstract) and therefore suffers the same deficiency as the primary reference. Applicants respectfully submit that the combined references therefore cannot render the claimed invention according to Claim 8, obvious, and withdrawal of the rejection of Claim 8 under 35 U.S.C. 103(a) over Brink in view of Miller is respectfully requested.

Applicants respectfully submit that the claimed invention is now in condition for allowance and early notice of such action is earnestly solicited.

Respectfully submitted,

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